IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

NOTICE OF MOTION NO.305 OF 2006
IN
WRIT **PETITION NO.1855 OF 2001**

Smt.Leela bhagwansingh Advani & Ors..Petitioners

Vs.

State of Maharashtra & Ors.....Respondents

Mr. A.V. Anturkar i/b. Mulla & Mulla & Craigie blunt
& Caroe, for Petitioners
Mr. D.R. Zaiwala, Senior Counsel with Mr. G.
Hariharan and Mr. M.Goswami i/b. T.C. Kaushi, for
the Respondent Nos. 5 and 6.
Mr. R.M.Sawant, Govt. pleader for Respondents 1 to
4.

CORAM: **F.I. REBELLO &**

ANOOP V.MOHTA, JJ.

DATE: 18TH AUGUST,2006

P.C.

. The main relief sought in this Motion is to direct the Union of India to release the payment in pursuance of the Award dated 30th May, 1995. It is not the case of the petitioners that the Respondent Union of India is not in a position to make the payment if the petitioners ultimately succeed.

2. On behalf of the petitioners learned Counsel, however, points out that the present land being Plot

Nos.50 and 51 were the subject matter of common award along with Plot No.53-A. In respect of land 53-A the compensation has already been paid and it is in these circumstances that they approached this Court for reliefs as prayed for.

3. In our opinion considering the reply filed by the respondents the petition itself will have to be finally disposed of and reliefs as now prayed for cannot be granted in the present Motion. Hence, Motion stands disposed of. Considering that in respect of another Awardee money has been paid and as the petitioners are aged above 65 years the petition to be added to the weekly board for final hearing.

4. Liberty to the petitioners to move the learned Chief Justice for effective date of hearing.

(**F.I. REBELLO, J)**

(**ANOOP V.MOHTA, J.).**